REMARKS

Claims 1-33, 42, 43, 45-53, 62 and 63 remain in the application. All of the claims stand rejected.

The Examiner rejected claims 1-5, 7-12, 17, 23, 25, 27-28, 31-33, 42-43, 45-48, 51-53 and 62-63, under 35 U.S.C. § 102(e) as anticipated by Shane.

The invention is directed to techniques for advertising or otherwise inducing activity by the target of the advertising, often called a "contact", at a server on a network by including the contact name within the resource location descriptions.

One advantage of techniques from the present invention is that a promoter (e.g., wholesaler, retailer, advocate, charity or political entity) can provide a large number of web sites, one for each contact (e.g., customer, potential customer, viewer, supporter or voter) whom the promoter has identified. Each web site can have a domain name that prominently displays the contact's identity. The psychological benefit to the contact of finding a web site devoted to the contact and with the contact's own identity as part of the domain name conditions the contact favorably and increases the chances that

the result sought by the promoter will be achieved. For example, anecdotal and test evidence suggests that a contact exhibits a high probability of visiting a web site with a domain name bearing the contact's identity, when notified of the existence of the web site. Furthermore, a sale is completed a high percentage of times in such visits. Similarly, it is expected that such a contact will more likely make a donation to a charity when that charity establishes a web site bearing the contact's identity and relating the charity's work to the contact's concerns. As another example, it is expected that a voter will more likely vote for a politician who establishes a web site with the voter's identity relating the politician's position to the voter's activities.

The evidence of improved response when using the name of the contact in the uniform resource locator is described in a Declaration under 37 C.F.R. § 1.132 attached hereto. The Declaration shows that when the name of the target for the direct mail contact is included in the website, the response is significantly better than when the name is not utilized.

The Shane reference utilizes a unique "personal identification code for a recipient." An example of that unique

identification code is shown in Figure 2, item 56. This code is definitely not a name and there is no teaching or suggestion in the Shane reference of using a name.

Shane acknowledges the existence of a problem with response rates. At column 2, beginning line 1, Shane notes that:

> "However, conventional direct mail has certain limitations. A one percent (1%) response rate is considered a success."

As shown by the Declaration attached hereto is Exhibit A, the use of the name in the uniform resource locator, as opposed to some meaningless personal identification code provides significantly improved response rate. Each of the claims except claims 43 and 45 contain such a limitation and therefore accordingly, provide an improved result over the prior art, such as Shane. Since Shane provides no teaching or suggestion of using the name of the contact in the uniform resource locator and since using the name provides substantially improved response, Examiner is respectfully requested to reconsider the rejection and allow the claims to issue as a patent.

With respect to claim 43, the Shane reference does not teach or suggest inclusion of a "name of the promotion in a network address"

With respect to claim 45, the Shane reference does not disclose "a resource location description... including information

for the contact information."

Accordingly, each of the independent claims distinguishes over the Shane reference.

The Examiner rejected claims 6, 13-16, 18-22, 24, 26, 29-30 and 49-50 under 35 U.S.C. § 103 as unpatentable over Shane in view of LeMole et al. The LeMole patent is directed to a customized advertising repository server. A user can access that server through a browser and enter a profile, such as a profile describing advertising subjects in which the user is interested. When a user accesses his or her customized advertising repository through the browser, a composite advertising page is dynamically configures by the customized advertising repository server for that particular user based on that users previously provided user profile.

There is no teaching or suggestion on LeMole for including in a resource location description the name of the contact to which promotional material is to be sent. Rather, a user must volunteer to receive advertising by creating a profile in the customized advertising repository server. Further, there is no need to notify a contact about the resource location description for the resource, since, in the LeMole patent, the user already knows the description of the customized advertising repository server, since the user has utilized that location to create his profile and must log into it to get his pre-specified advertising.

With respect to each of the claims rejected under 35 U.S.C.

§ 103, the Examiner has failed to establish a motivation or suggestion for combining any particular teaching of the LeMole reference with the Chiu reference. Thus, the Examiner has failed to establish a prima facie case of obviousness.

On page 6 of the Office Action, the Examiner has asserted that certain limitations are "well known" (second full paragraph) or the subject of "official notice" (last seven lines on page 6).

The Examiner has failed to show a rationale or teaching in the LeMole et al. or in the prior art that would suggest the limitation of LeMole et al. will be combined with Shane. With respect to the "well known" activity, the Examiner is merely assuming that the limitation that he cannot find in the prior art is well known and then leverages off that assumption to the conclusion that the limitations would have been obvious. Again, the Examiner has failed to make a prima facie case of obviousness.

With respect to the "official notice" the Examiner has failed to establish that this is sufficiently well known, that it would be a suitable subject matter for official notice. Accordingly, the Examiner has failed to establish a prima facie case of obviousness.

For the reasons indicated, the Examiner is requested to reconsider the rejections of the claims, to withdraw them and to allow the application to issue as a patent.

Please charge any shortage in fees due in connection with

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HAUGLAND ET AL.
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the filing of this paper, including Extension of Time fees, to Deposit Account No. 01-0484 and please credit any excess fees to such deposit account.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450, on this 19 day of October, 2004.